

EXHIBIT A



**Service of Process
Transmittal**

07/14/2014

CT Log Number 525311885

TO: Deloris Stephenson
Tractor Supply Company
200 Powell Place
Brentwood, TN 37027

RE: Process Served in Oklahoma

FOR: TRACTOR SUPPLY COMPANY (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Kendall R. Ousley, Pltf. vs. Tractor Supply Company, etc., Dft.

DOCUMENT(S) SERVED: Summons, Return(s) of Service, Petition

COURT/AGENCY: Muskogee County District Court, OK
Case # CJ14256

NATURE OF ACTION: Employee Litigation - Discrimination - Retaliation - Race

ON WHOM PROCESS WAS SERVED: The Corporation Company, Oklahoma City, OK

DATE AND HOUR OF SERVICE: By Certified Mail on 07/14/2014 postmarked on 07/11/2014

JURISDICTION SERVED: Oklahoma

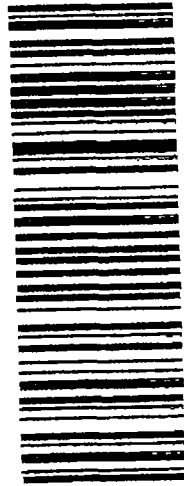
APPEARANCE OR ANSWER DUE: Within 20 days after service, exclusive of the day of service

ATTORNEY(S) / SENDER(S): Amber Peckio
Garrett Law Center, PLLC
PO Box 1349
Tulsa, OK 74101-1349
918-895-7216

ACTION ITEMS: CT has retained the current log, Retain Date: 07/14/2014, Expected Purge Date: 07/19/2014
Image SOP
Email Notification, Karen Austin kaustin@tractorsupply.com
Email Notification, Ben Parrish bparrish@tractorsupply.com
Email Notification, Deloris Stephenson dstephenson@tractorsupply.com

SIGNED: The Corporation Company
PER: Amy McLaren
ADDRESS: 1833 South Morgan Road
Oklahoma City, OK 73128
TELEPHONE: 800-592-9023

CERTIFIED MAIL™

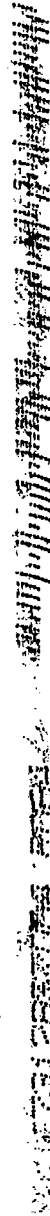


7012 0470 0000 2874 8853

Garrett Law Center
P.O. Box 1349
Tulsa, OK 74101-1349



Tractor Supply Company
1833 S. Morgan Road
Oklahoma City, OK 73128



IN THE DISTRICT COURT IN AND FOR MUSKOGEE COUNTY
STATE OF OKLAHOMA

KENDALL R. OUSELY,

Plaintiff,

vs.

TRACTOR SUPPLY COMPANY
a corporation,

Defendant.

Case No. CT-14-256

ORIGINAL

SUMMONS

To the above-named Defendant(s): Tractor Supply Company
1833 S. Morgan Road
Oklahoma City, OK 73128

You have been sued by the above-named plaintiff(s), and you are directed to file a written answer to the attached petition in the court at the above address within twenty (20) days after service of this summons upon you exclusive of the day of service. Within the same time, a copy of your answer must be delivered or mailed to the attorney for the plaintiff. Unless you answer the petition within the time stated judgment will be rendered against you with the costs of the action.

If Interrogatories and Request for Production of Documents are served with this Petition, you are directed to answer the Interrogatories and produce the documents requested within forty-five (45) days after service of these Interrogatories and Request for Production of Documents.

Issued this 3rd day of July, 2014.

Paula Lepton, Court Clerk
By: *[Signature]*, Deputy Court Clerk

(Seal)

Attorney(s) for Plaintiff(s): Amber Peckio Garrett, OBA #19908

Name: GARRETT LAW CENTER, PLLC
Address: P.O. Box 1349
Tulsa, OK 74101-1349
(918) 895-7216

This summons was served on _____
(Date of Service)

(Signature of person serving summons)

YOU MAY SEEK THE ADVICE OF AN ATTORNEY ON ANY MATTER CONNECTED WITH THIS SUIT OR YOUR ANSWER. SUCH ATTORNEY SHOULD BE CONSULTED IMMEDIATELY SO THAT AN ANSWER MAY BE FILED WITHIN THE TIME LIMIT STATED IN THE SUMMONS.

**RETURN OF SERVICE
PERSONAL SERVICE**

I Certify that I received the foregoing summons on the _____ day of _____, 2014, and that I delivered a copy of said summons with a copy of the petition attached to each of the following named defendants personally in _____ County at the address and on the date set forth opposite each name, to wit:

Name of Defendant:	Address:	Date of Service:
.....
.....
.....

FEES

Fee for service \$ _____, Mileage \$ _____, Total \$ _____
Dated this _____ day of _____, 2014.

Process Server:

By: _____
_____ County, Oklahoma

**RETURN OF SERVICE
USUAL PLACE OF RESIDENCE**

I certify I received the foregoing summons on the day of, 2014, and that on, I served by leaving a copy of said summons with a copy of the petition attached at which is his usual place of residence, with, a person over fifteen (15) years of age who resides therein.

**RETURN OF SERVICE
CERTIFICATE OF SERVICE BY MAIL**

I certify that I mailed copies of the foregoing summons with a copy of the petition attached to the following named defendant(s) at the address shown by certified mail, addressee only, return receipt requested on the day of, 2014, and receipt thereof on the dates shown:

Name of Defendant:	Address:	Date of Service:
_____	_____	_____
_____	_____	_____

**IN THE DISTRICT COURT IN AND FOR MUSKOGEE COUNTY
STATE OF OKLAHOMA**

KENDALL R. OUSLEY

Plaintiff,

vs.

**TRACTOR SUPPLY COMPANY
a corporation,**

Defendant.

Case No. CJ-14-256

Judge _____

PAULA SEXTON
COURT CLERK

2014 JUL -3 PM 2:39

STATE OF OKLAHOMA
COUNTY OF MUSKOGEE
FILED

PETITION

COMES NOW Kendall R. Ousley (hereinafter "Plaintiff"), by and through his attorneys of record, Amber Peckio Garrett of the Garrett Law Center, PLLC, and brings this action against the Tractor Supply Company, a corporation, (hereinafter "Defendant"), for violations of his constitutionally protected rights arising out of his employment.

PARTIES, JURISDICTION AND VENUE

1. Plaintiff is a resident of Muskogee, Muskogee County, State of Oklahoma.
2. Defendant is a foreign corporation regularly doing business in Muskogee, Muskogee County, State of Oklahoma.
3. The incidents and occurrences that form the basis of Plaintiff's action occurred in Muskogee, Muskogee County, State of Oklahoma.
4. Plaintiff filed a charge of discrimination against the Defendant with the Equal Employment Opportunity Commission ("EEOC") complaining to the EEOC of discrimination based on his race, his age and retaliation by his employer, the Defendant. A Notice of Right to Sue, dated April 08, 2014, was received by the Plaintiff and this Petition has been filed within

ninety days (90) of the receipt of the Notice of Right to Sue. As such, all conditions precedent to the filing of this lawsuit have been fulfilled.

5. This Court has jurisdiction and venue is proper in Muskogee County, Oklahoma.
6. Plaintiff brings this action for damages under the Okla. Stat. tit. 25 § 1101 *et seq.*; Title VII of the Civil Rights Act of 1964; and the Equal Employment Opportunity Commission (EEOC), for discriminating against him on the basis of his race and retaliation by his employer, the Defendant.
7. Compensatory damages are sought pursuant to the Okla. Stat. tit. 25 § 1101, 1301 *et seq.*; Title VII of the Civil Rights Act of 1964; and the EEOC.
8. Punitive damages are sought pursuant to the Okla. Stat. tit. 25 § 1101, 1301 *et seq.*; Title VII of the Civil Rights Act of 1964; and the EEOC.
9. Costs and attorney's fees may be awarded pursuant to the Okla. Stat. tit. 25 § 1101, 1301 *et seq.*; Title VII of the Civil Rights Act of 1964; and the EEOC.

FACTS COMMON TO ALL CLAIMS

10. Plaintiff incorporates paragraphs 1 through 9, as if realleged.
11. Defendant hired Plaintiff as a Feed Stocker on April 25, 2013.
12. Plaintiff is an African American/black man.
13. Approximately on August 31, 2013, the Plaintiff's co-worker, Morgan Smith ("Ms. Smith"), who was employed by the Defendant made a racist statement to the Plaintiff when she referred to him as a "nigger" in the presence of his manager, Dara Chase ("Supervisor Chase").

14. The Plaintiff was highly offended by this racist remark and complained immediately after the incident to Supervisor Chase who was the person both Ms. Smith and Plaintiff reported to.

15. Supervisor Chase responded to plaintiff by making a facial expression insinuating Plaintiff should not make Ms. Smith angry and stated "get back to work" to Plaintiff.

16. The Plaintiff never heard if his complaints to Supervisor Chase were addressed with Ms. Smith and alleges herein that his concerns were disregarded.

17. Later, after Plaintiff complained of the racist remark made by Ms. Smith, Ms. Smith was promoted to Team Leader, and then was Plaintiff's immediate supervisor. After, Ms. Smith's promotion, she harassed plaintiff.

18. On September 27, 2013, the Plaintiff called the U. S. Equal Employment Opportunity Commission ("EEOC") and filled out and mailed a U. S. Equal Employment Opportunity Commission Intake Questionnaire.

19. Around the same time (see paragraph 18), Plaintiff also complained to Human Resources at Tractor Supply Company. Human Resources asked what Plaintiff wanted them to do, to which Plaintiff respond he wanted Human Resources to do what they found necessary since they are in a proper position to make decisions on this matter.

20. Human Resources had Supervisor Chase and another Supervisor who was new to the company meet with Plaintiff. When meeting with Plaintiff, Supervisor Chase claimed she did not remember the incident. They also informed him that Ms. Smith had quit her job for school, an unrelated matter to this occurrence. Supervisor Chase inquired to Plaintiff if her quitting resolved the issue.

21. On October 08, 2013, the EEOC mailed a letter to Human Resources at Tractor Supply Company.

22. On November 29, 2013, EEOC sent charges to Tractor Supply Company, and concurrently, Tractor Supply Company decreased Plaintiff's hours from his normal average of 27-32 weekly to 17-18 weekly.

23. On December 15, 2013, Tractor Supply Company hired a new employee as plaintiff's co-worker. The new employee received a higher pay than Plaintiff and more hours. The new employee was also promoted over Plaintiff after only a few weeks of being hired in despite of Plaintiff working at Tractor Supply for several months.

24. On February 28, 2014, Plaintiff had to discontinue work due to a shoulder injury, however; during this time plaintiff decided to not come back to work because of the retaliatory nature of defendant and its employees, failure of Tractor Supply to promote him, and racial discrimination.

25. On April 8, 2014 EEOC sent a right to sue notice to Plaintiff.

FIRST CLAIM FOR RELIEF
RETALIATION AND DISCRIMINATION ON BASIS OF RACE

26. Plaintiff incorporates paragraphs 1 through 22, as if realleged.

27. Defendant engaged in unlawful employment practices in violation of the Okla. Stat. tit. 25 § 1101, 1301 *et seq.*; Title VII of the Civil Rights Act of 1964; and the EEOC.

28. An employer may not harass or otherwise "retaliate" against an individual for filing a charge of discrimination or otherwise opposing discrimination. (the Okla. Stat. tit. 25 § 1101, 1301 *et seq.*; Title VII of the Civil Rights Act of 1964; and the EEOC.)

29. An employee is protected from coercion, intimidation, threat, harassment or interference in an employee's exercise of their own rights.

30. The Plaintiff is a black man. Ms. Smith has a long-standing pattern of harassing, threatening, intimidating and interfering with the Plaintiff's exercise of his own rights and the Defendant has not taken action against Ms. Smith or Supervisor Chase, as required by law.

31. Approximately on August 31, 2013, the Plaintiff's co-worker, Ms. Smith, who was employed by the Defendant made a racist statement to the Plaintiff when she referred to him as a "nigger" in the presence of his manager, Supervisor Chase.

32. The Plaintiff was highly offended by this racist remark and complained to Supervisor Chase who was the person both Ms. Smith and Plaintiff reported to.

33. Supervisor Chase responded to plaintiff by making a facial expression insinuating Plaintiff should not make Ms. Smith angry and stated "get back to work" to Plaintiff.

34. The Plaintiff never heard if his complaints to Supervisor Chase were addressed with Ms. Smith and alleges herein that his concerns were disregarded.

35. Later, after Plaintiff complained of the racist remark made by Ms. Smith, Ms. Smith was promoted to Team Leander, and then was Plaintiff's immediate supervisor. After, Ms. Smith's promotion, she harassed plaintiff.

36. On September 27, 2013, the Plaintiff called the U. S. Equal Employment Opportunity Commission ("EEOC") and filled out and mailed a U. S. Equal Employment Opportunity Commission Intake Questionnaire.

37. Around the same time (see paragraph 36), Plaintiff also complained to Human Resources at Tractor Supply Company. Human Resources asked what Plaintiff wanted them to do, to which Plaintiff respond he wanted Human Resources to do what they found necessary since they are in a proper position to make decisions on this matter.

38. Human Resources had Supervisor Chase and another Supervisor who was new to the company meet with Plaintiff. When meeting with Plaintiff, Supervisor Chase claimed she did not remember the incident. They also informed him that Ms. Smith had quit her job for school, an unrelated matter to this occurrence. Supervisor Chase inquired to Plaintiff if her quitting resolved the issue.

39. On October 08, 2013, the EEOC mailed a letter to Human Resources at Tractor Supply Company.

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41. On December 15, 2013, Tractor Supply Company hired a new employee as plaintiff's co-worker. The new employee received a higher pay than Plaintiff and more hours. The new employee was also promoted over Plaintiff after only a few weeks of being hired in despite of Plaintiff working at Tractor Supply for several months.

42. On February 28, 2014, Plaintiff had to discontinue work due to a shoulder injury, however; during this time plaintiff decided to not come back to work because of the retaliatory nature of defendant and its employees, failure of Tractor Supply to promote him, and racial discrimination.

43. On April 8, 2014 EEOC sent a right to sue notice to Plaintiff.

44. Plaintiff believes he was retaliated against due to his race and for complaining to the EEOC of coercion, intimidation, threat, harassment or interference in an employee's exercise of their own rights, discrimination of race.

WHEREFORE, Plaintiff prays for judgment against Defendant for:

- a. Compensatory damages for his mental anguish, pain and suffering and other non-pecuniary losses;
- b. Compensatory damages for his physical anguish, pain and suffering and other non-pecuniary losses;
- c. Punitive damages for the intentional and knowing acts of discrimination committed by Defendant's management and executives;
- d. His attorney fees and the costs and expenses of this action; and
- e. Such other relief as the Court deems just and equitable.

SECOND CLAIM FOR RELIEF
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

45. Plaintiff incorporates paragraphs 1 through 46, as if realleged.

46. Defendant's actions of intentional and malicious discrimination of race and retaliation leading to termination are extreme and outrageous and have caused severe emotional and psychological damage to the Plaintiff.

WHEREFORE, based on the foregoing, the Plaintiff prays that this Court grant him the relief sought including, but not limited to, actual and punitive damages in excess of Seventy-Five Thousand Dollars (\$75,00000), with interest accruing from date of filing of suit, compensatory damages for mental anguish, pain and suffering and other non-pecuniary loss, compensatory damages for physical anguish, pain and suffering and other non-pecuniary loss, reasonable attorney's fees and costs, injunctive relief and all other relief deemed appropriate by this Court.

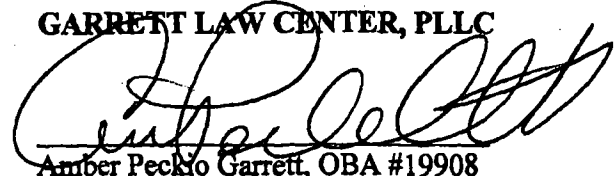
JURY DEMAND

COMES NOW, the Plaintiff, Kendall Ousley, and hereby demands a trial by jury to decide all issues brought forth in this Petition.

Respectfully submitted,

GARRETT LAW CENTER, PLLC

By:

A large, stylized handwritten signature in black ink, likely belonging to Amber Peckio Garrett, is written over the printed name and partially over the address.

Amber Peckio Garrett, OBA #19908

D. Mitchell Garrett, Jr., OBA #20704

P. O. Box 1349

Tulsa, Oklahoma 74101-1349

Telephone: (918) 895-7216

Facsimile: (918) 895-7217

ATTORNEY'S LIEN CLAIMED & JURY DEMANDED

On Demand Court Records

- Pricing
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- New search
- Modify search
- (1) Results

Case Information

OUSLEY, KENDALL R. vs. TRACTOR SUPPLY COMPANY

Case Identifier	Muskogee OK — CJ-2014-00256 Monitor this case
Type of Case	Civil Cases in which the relief sought exceeds \$10,000
Date Filed	07/03/2014
Amount Owed	\$0.00 (as of 07/31/2014 03:48pm)

Offense or Cause

- DAMAGES (\$10,001 OR MORE)

Parties Involved

Plntf Atty.	GARRETT, AMBER PECKIO of <i>Tulsa OK</i>	
Judge	STOUT, WELDON	
Plaintiff	OUSLEY, KENDALL R.	Monitor this person
Defendant	TRACTOR SUPPLY COMPANY	Monitor this person

Case entries

Date	Description	Amount
07/03/2014	FILE & ENTER PETITION	\$163.00
	LAW LIBRARY	\$6.00
	DISPUTE MEDIATION	\$2.00
	Oklahoma Court Information System Fee - Effective 07/01/04	\$25.00
	LENGTHY TRIAL FUND	\$10.00
	OK COURT APPOINTED SPECIAL ADVOCATES	\$5.00
	10% OF CASA TO COURT CLERK REVOLVING FUND	\$0.50
	OK COUNCIL ON JUDICIAL COMPLAINTS REVOLVING FUND	\$2.00
	10% OF COJC TO COURT CLERK REVOLVING FUND	\$0.20
07/03/2014	SUMMONS ISSUED TO ATTY FOR SERVICE BY PROCESS SERVER	\$5.00
Grand Total		\$218.70

Receipts

Date	Description	Amount
07/07/2014	Receipt R2-353397 received of GARRETT LAW CENTER PLLC	\$218.70
Grand Total		\$218.70

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